

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

DATE: June 26, 2016

TO: **SOPHIA PIÑA-CORTEZ**, Assistant General Manager
Special Operations Branch

JOE SALAICES, Superintendent
Griffith Region

FROM: **JOE LOSORELLI**, Chief Park Ranger
Park Ranger Division

SUBJECT: ARMING OF THE PARK RANGERS

Chief Park Ranger is respectfully requesting that the General Manager and Executive Officer & Chief of Staff, in concurrence with the Recreation and Parks (RAP) Board of Commissioners, considers and approves the arming of the park rangers, based on the following information.

There are currently 22 sworn City of Los Angeles Park Rangers assigned to RAP Park Ranger Division. Every park ranger assigned to the Park Ranger Division is required to complete a six-month, California Police Officer Standard and Training (CAPOST) POST-Certified Academy Training Course, either at the Rio Hondo Police Academy in Whittier, CA, or at the Los Angeles Police Academy in Los Angeles, CA. Upon completion of the police academy training, the RAP Park Rangers are considered law enforcement officers under 830.1 California Penal Code (CPC), and have full police powers throughout the State of California (**Attachment 1**).

The CAPOST, which regulates Standards and Training for all California law enforcement agencies throughout the state, recognizes the City of Los Angeles Park Ranger Division and its sworn personnel, as a law enforcement agency with full police powers to detain, arrest, book criminal violators, conduct investigations into criminal activity, etc. The CPC Section 830.31(b) states that a person designated by a local agency as a park ranger, who is regularly employed and paid in that capacity, and whose primary duty is the protection of parks, may be armed by their employing agency (**Attachment 2**).

While the Los Angeles Police Department (LAPD) is recognized and sanctioned as the primary law enforcement agency for the City of Los Angeles, there are other CAPOST law enforcement agencies operating within city limits including but not limited to the Los Angeles International Airport (LAWA) Police Division (Airport Police), Los Angeles Port Police Department (LAPPD), Los Angeles School Police Department, University of California Los Angeles (UCLA) Police Department, University of Southern California (USC) Department of Public Safety (DPS) and others.

The Park Ranger Division is responsible for park safety and preservation of all city parks. The aforementioned agencies police specific locations directly related to their area of responsibility: airport safety, harbor safety, student safety, etc. Recruited candidates of these police agencies attend the LAPD Academy. Upon completion of the six-month training, they are granted police powers and are provided a weapon based on the specifications of the LAPD. The arming of these agencies is based on the requirements of 830.31 CPC, for the protection of the officers and citizens when facing dangerous situations in the course of their law enforcement duties.

The aforementioned police agencies (including the Los Angeles Fire Department (LAFD) Arson Unit, who is armed as well) are under a Memorandum of Agreement (MOA) with the LAPD.

Note: The MOAs will be listed as Attachments on the following paragraphs.

The MOAs between the other city police agencies recognize that the LAPD is responsible for the investigation and follow up of all major crimes committed in the city known as Part-I crimes, to include homicides, rapes, robberies, mayhem, extortion, kidnapping for ransom, etc. It is the sole responsibility of the LAPD to investigate all Part-I crimes committed in the city.

Under the same MOAs, LAPD Force Investigation Division (FID) has agreed to investigate all Categorical UOF (UOF) incidents for these Departments. A Categorical UOF is defined by the LAPD as any Officer Involved Shooting (OIS), upper body control holds (choke holds), in-custody death, head strike with an impact device, broken bone, overnight hospitalization of a suspect(s), or any major injury to anyone that occurs as a result of police action. The Park Ranger Division is currently under an MOA with the LAPD similar to those of the other agencies, excluding the obligation of LAPD FID to investigate UOF incidents involving park rangers due mainly to the fact that park rangers are not armed.

JUSTIFICATION

Park Rangers are recognized as law enforcement officers by the State of California, with all of the responsibilities and authority inherent in that role. It is the legitimate perception of the public that park rangers have the full ability to provide safety and security to the public under all circumstances.

While it is true that the 430 parks within the city are generally safe, many experience gang and homeless activity on an almost-daily basis. In recent years, some city parks have been the locus of murders, rapes, stabbings, shootings, drug use, etc. The gang and homeless presence, combined with the high number of other violent community predators that can be found in the city parks, introduces crime and the fear of crime into areas in which families expect to be safe. The criminal presence threatens the safety of both LAPD Officers and Park Rangers. Every day, our brave park rangers patrol these parks, absent the main tool with which other law enforcement agencies are granted to protect themselves, their partners, and the community against a violent attack: a service weapon. An attack on a ranger or citizen in a city park can occur at any time. More so than not, the first responder is likely to be a park ranger.

An unarmed park ranger is not adequately equipped to effectively respond to an “Active Shooter” situation, during which many lives might be lost within minutes, especially at high-profile locations such as the Griffith Observatory, the Greek Theatre, the Cabrillo Aquarium, etc.

The fact that the park rangers are not armed has impeded the division’s recruitment efforts and its ability to maintain staffing levels. At one point, the Park Ranger Division consisted of 65 rangers. Many rangers, having received POST certification as ranger recruits, have left the division, only to be hired by surrounding, armed, police agencies. Others have been actively recruited by the LAPD and other agencies during their city-sponsored academy training, leaving RAP responsible for the thousands of dollars associated with the recruit training prior to their departure. For public safety and pecuniary concerns, RAP management should adopt the position that our park rangers need to be armed.

EXTERNAL AND INTERNAL RESOURCES CONSULTED

In an effort to address the many questions associated with arming the park rangers, Chief Park Ranger Joe Losorelli met with the following city management and resources:

External Resources

- On February 26, 2019, Chief Losorelli and Captain Patrick Joyce, of the Park Ranger Division, met with Chief of Police Michel Moore of the LAPD regarding the arming of the rangers. Chief Moore was supportive of the idea to arm the rangers provided that: 1) there are strong policies and procedures in place, and 2) that the idea was supported by the City Council Public Safety Committee. Chief Moore can be reached at (213) 486-2101.

Note: The Park Ranger Division will adopt the UOF Policy, Training, and Tactics of the LAPD. The UOF Policy, Training, and Tactics will be discussed under the Policy and Tactics heading.

- On March 7, 2019, Chief Losorelli met with Chief of Airport Police David L. Maggard, Jr. of the LAWA Airport Police Division to discuss their current UOF Policy. Chief Maggard disclosed that the Airport Police became an armed law enforcement agency in 1985, due to the possibility of a terrorist attack or other violence occurring within the airport's jurisdiction, to which the agency would need to provide a swift and appropriate response. Airport Police has adopted the UOF Policy of the LAPD and their recruits are trained at the LAPD Academy. The Airport Police Officers are armed and will continue to be armed for the safety of their personnel and that of the millions of travelers that use the airport each year. The Airport Police Division is under a MOA with the LAPD similar to that of RAP, with the exception that the LAPD investigates all Categorical UOF incidents for the Airport Police Division (**Attachment 3**). Chief Maggard can be reached at (424) 646-5045.
- On March 12, 2019, Chief Losorelli met with Chief Thomas Gaszi, Los Angeles Port Police regarding the Los Angeles Harbor Department's (LAHD) current MOA with the LAPD. The Harbor Police Department adopted the shooting policy of the LAPD, and its recruits are trained at the LAPD Academy. The agency operates under the same MOA as RAP, with the exception that the LAPD investigates all Categorical UOF incidents on behalf of the Harbor Police Department (**Attachment 4**). Chief Thomas Gazi can be reached at (310) 732-3520.
- On March 18, 2019, Chief Losorelli met with Chief John Thomas of the USC DPS to discuss their current MOA with LAPD. The USC DPS has adopted the UOF Policy of the LAPD. Their recruits are trained at the LAPD Academy. The current USC MOA mirrors the RAP MOA with the LAPD with the exception that the LAPD investigates all Categorical UOF incidents on behalf of the USC DPS (**Attachment 5**). Chief Thomas can be reached at (213) 400-4887.

- The Los Angeles City Fire Department (LAFD) is not under a current MOA with the LAPD to investigate Part-I crimes. The LAFD has adopted the UOF Policy of the LAPD. The LAFD's Arson Investigators are not CAPOST certified law enforcement officers, but have the certification to make arrests for arson related crimes. The LAPD investigates all Categorical UOF incidents for the LAFD Arson Team, who are armed (**Attachment 6**).
- On March 21, 2019, Chief Losorelli met with Commander Robert Moreno, from FID, LAPD, who indicated that the LAPD will enter into a MOA with the Park Ranger Division when the arming of the rangers is approved. Under the MOA, LAPD will investigate Categorical UOF incidents. The details of the MOA will be discussed under the MOA heading. Commander Moreno can be reached at (213) 473-0277.
- On March 21, 2019, Chief Losorelli and Senior Ranger Sharie Abajian, Park Ranger Division, met with Dr. Kevin Jablonski, Chief Psychologist, Behavioral Science Services (BSS) LAPD, who provides psychological evaluations to police personnel, to include the LAPD, Airport Police, Port Police, UCS DPS, and other law enforcement agencies in the Los Angeles region, following a Categorical UOF incident. These agencies are under a current MOA with LAPD BSS. The MOA between LAPD BSS and the Park Ranger Division will be discussed under the MOA heading. Dr. Jablonski can be reached at (213) 486-0790.
- On March 26, 2019, Chief Losorelli met with Lieutenant Eric Quan and Captain Armand Carranza, from Training Division, LAPD. Lieutenant Quan and Captain Carranza indicated that the park rangers, upon final approval to be armed, will enter into a MOA with the LAPD under which the use of all LAPD ranges, to include ammunition and training, will be provided free of charge to the Park Ranger Division. The details of the MOA will be discussed under the MOA heading.
- During the month of February 2019, Chief Losorelli contacted CAPOST to obtain information on the requirements to recertify the park rangers to carry a weapon while on duty (see TACTICS AND TRAINING heading).

Internal Resources

- During the months of March and April 2019, Chief Losorelli engaged in multiple discussions with City Attorney (CA) Mike Dundas of the Los Angeles City Attorney's Office. According to CA Dundas, there are no legalities in the City Charter or the California Penal Code (CPC) that prohibit rangers from being armed. In fact, CPC Section 830.31 (b) clearly states that park rangers can be armed under the terms and conditions specified by their employing agency (**Attachment 7**).

CA Dundas communicated that inter-office discussions concluded that both the RAP's Board of Commissioners and the City Council would need to approve the carrying of firearms by the rangers; the RAP Board of Commissioners in its operational capacity under the Charter and the City Council in order to overcome the limitations set forth in the Los Angeles City Municipal Code (LAMC).

Other sections of the LAMC dealing with police officers, fire arson team and animal services officers, have city code ordinance authorizing the use of firearms by their personnel. LAMC 63.41 (that deals with park safety), does not contain any such authorizing language.

CA Dundas believes that it was the City Council's intent when LAMC 63.41 was passed in 1970 to prevent arming park rangers. The RAP Board of Commissioners would need to request the City Attorney's Office to draft an amendment to LAMC 63.41 to allow the carrying of firearms by rangers and that said amendment would need to be approved by the City Council. Alternatively, a Councilmember could introduce a motion asking for the same. Authorization from the RAP General Manager is needed to proceed forward.

- During March and April of 2019, Chief Losorelli met with Mr. Marshall McClain of the Los Angeles Airport Peace Officers Association (LAAPOA) and Mr. Victor Gordo of the Laborers International Union of North America (LIUNA) Local 777. The representation units and the membership are in support of arming the park ranger staff and are aware that the Park Ranger Division will enter into a MOA with the LAPD FID as an investigative entity to investigate Categorical UOF incidents. The representation units will provide legal representation and advice in the event that a member becomes involved in a Categorical UOF. Currently, there are no requests for a meet and confer by the unions or its membership. The president of LAAPOA wrote a letter of support to arm the park rangers (**Attachment 8**). Mr. McClain can be reached at (310) 242-5218. Mr. Gordo can be reached at (626) 664-9656.
- On May 13, 2019, Chief Losorelli and Captain Joyce met with Harold Fujita, Director of Human Resources, and Mr. McClain from LAAPOA, regarding the protocols and systems that would be in place as divisional policy to arm the rangers. Everything from policy, training, tactic and discipline was discussed and understood by all parties involved in the meeting.
- On April 22, 2019, Chief Losorelli and Senior Ranger Abajian met with Kenneth Igwebuikwe, Risk Manager II, Risk Management Section, regarding management concerns associated with the arming of the park rangers. Every armed law enforcement agency in the United States faces liability concerns related to the arming of their officers. However, in the final analysis, there is less liability associated with an OIS than with other aspects of law enforcement, including traffic accidents, vehicle pursuits, violation of department policies and procedures, sexual harassment claims, etc. Risk Manager Igwebuikwe specified that to reduce liability of arming the rangers, RAP management must ensure adequate education, training, on-going in-service training, strong policies and procedures and close supervision, as well as routine firearm qualification. These measures will reduce liability concerns tremendously. Adopting the training, tactics and UOF Policy of the LAPD ensures that the Park Ranger Division will be trained beyond the expectations of most law enforcement agencies across the United States as said training already exceeds that mandated by CAPOST.

Risk Manager Igwebuiké suggested that RAP should conduct a study by the hiring of the RAND Corporation to review the advantages, disadvantages, challenges and other unforeseeable scenarios that would provide RAP management with more insight on arming the rangers. Mr. Igwebuiké suggested a comparison to other park ranger metropolises like Austin, Dallas, Houston, New York, San Diego and San Francisco. Chief Losorelli reviewed the education requirements and qualifications of the aforementioned cities, along with those of many other cities. The park ranger programs of these other cities have no law enforcement credentials. They do not attend any formal law enforcement training and they are not considered law enforcement officers in any sense, which legally prevents these agencies from being armed. Conversely, the RAP Park Ranger Division requires of its recruits either a four-year college degree or four years of law enforcement experience to be considered for a career as a Los Angeles Park Ranger. These other cities only require 60 semester units (if that) or equivalent law enforcement experience to qualify for a park ranger career.

RAP Ranger Recruits and veteran park rangers are highly educated and are trained beyond other cities' expectations, which reduces liability to them and RAP, as mentioned by Mr. Igwebuiké. Chief Losorelli disagrees with commissioning an outside study by the RAND Corporation on the grounds that it would be extremely expensive and time consuming and would only conclude with potential advantages or disadvantages of having armed park rangers. The Park Ranger Division is not concerned with being compared to the protocols of other cities by a RAND study. The Park Ranger Division is only concerned with safeguarding its rangers and the citizens who use city parks. The only way to have a security blanket against all threats is to arm the rangers (**Attachment 9**).

Note: The Los Angeles County Sheriff's Department (LASD) Parks Bureau, patrols 177 park in Los Angeles County. They do not have a ranger program. The LASD Parks Bureau deploys 95-armed deputy sheriffs and 35-armed security personnel to safeguard their county parks.

UOF POLICY

The Park Ranger Division will fully adopt the UOF Policy of the LAPD. The current UOF Policy of the Park Ranger Division is the policy of the LAPD, absent Categorical UOF investigations.

In addition to the UOF Policy, the park ranger(s) will be mandated to provide a Public Safety Statement to the first responding supervisor following an OIS. The Public Safety Statement shall include: 1) number of shots fired by the ranger, 2) the direction in which the shots were fired, 3) is the suspect hit and/or direction last seen, 4) are there any other victims hit and 5) witness locations. Supervisors will not question the ranger(s) regarding tactics or the reason they fired their weapon. LAPD investigators will compel the rangers to answer those questions during the formal UOF investigation interview. The Public Safety Statement is mandatory and part of the LAPD UOF Policy.

The LAPD UOF Policy clearly addresses 835 CPC on how and when officers shall use force that is Reasonable and Necessary to apprehend a combative suspect(s). The policy also addresses how to deal with fleeing felony suspects, UOF on juvenile offenders, the use of warning shots, firing at moving vehicles and many other potential situations. The LAPD UOF Policy is by far the most restrictive and detailed policy of a major metropolitan city police department (**Attachment 10**).

TRAINING AND TACTICS

Currently, all of the sworn park rangers have attended the LAPD Academy and have been educated and trained on the LAPD UOF Policy, the use of authorized weapons and tactics such as approaching an armed suspect, verbal communications with their respective partners/dispatch and utilizing all tools provided to the officer/ranger before the use of deadly force is applied.

CAPOST requires that officers who have gone through a police academy but have not used or carried a weapon after one year or more must attend a 4-hour recertification course approved by CAPOST. Chief Losorelli and Captain Joyce have determined that the rangers will be provided a 40-hour recertification course at the LAPD Academy, free of charge by the LAPD, prior to the arming of the rangers.

The training course will include 30 hours of qualifying with and firing the LAPD-approved service weapon, and 10 hours of classroom instruction to review the LAPD UOF Policy and updated training and tactics. Rangers will not receive weapon recertification until the training is completed and qualification with the handgun is met.

Note: Park Rangers are clearly aware that their main focus of responsibility is park safety. During the course of their shift, rangers are required to travel to various parks in the city. In transit, park rangers will be forbidden from engaging in law enforcement activity outside of their area of responsibility, with the exception of an emergency situations including but not limited to assaults, requests for assistance from another officer or firefighter, rapes, robberies, shootings in progress, citizens in need of help, drunk drivers, car accidents, or similar emergency events.

MOA

The Park Ranger Division (as recommended by the LAPD command staff) must enter into three separate new MOAs with the LAPD, 1) the LAPD Force Investigation Division, 2) the LAPD Training Division and 3) the LAPD BSS. The current MOA between RAP and LAPD dated March 13, 2000 will not be altered or changed in any manner.

- LAPD Force Investigation Division will investigate all Categorical UOF incidents involving the Park Ranger Division. A team of Force Investigation Division (now referred to as FID) investigators will respond on a 24-hour basis to any Categorical UOF reported by the Park Ranger Division on or off duty. FID will investigate only the administrative investigation and the Los Angeles County District Attorney's Office will review all Categorical UOF for any criminal indiscretions on behalf of the involved employee(s). The UOF report will be reviewed by Justice System Integrity Division (JSID) of the Los Angeles County District Attorney's Office for any criminal filing considerations.

Note: JSID reviews all Categorical UOF incidents as a common practice for LAPD and the other law enforcement agencies under the MOA with LAPD. A member of the district attorney's office usually responds with LAPD FID investigators following a Categorical UOF.

FID will also conduct the administrative portion of a Categorical UOF, including the compelled statement of the involved ranger(s).

Note: A compelled statement is a situation in which a ranger/officer is given a direct order by an investigating supervisor to provide a statement regarding the UOF incident for administrative purposes only. The statement cannot be used in any criminal or civil court proceeding. The statement is protected by law under "Lyberger."

Upon completion of the UOF investigation by FID, the report will be directed to the Park Ranger Division for review and adjudication. The Park Ranger UOF Review Board (**to be determined**) will review the completed FID investigation and determine if the UOF was "in or out" of policy, as well as supplying with a recommendation for training, corrective actions or discipline actions if needed. The Park Ranger Review Board will determine its finding based on LAPD UOF Policy, Tactics and Training.

Note: Each police/fire agency under MOA with the LAPD has its own administrative Categorical UOF review board; it is recommended that the RAP Ranger Review Board consist of a RAP Board Commissioner, the General Manager or Assistant General Manager of RAP, A Park Ranger Captain, and the park ranger training supervisor.

- The Park Ranger Division will enter into a MOA with the LAPD BSS. A Categorical UOF is a tragic event for an officer(s) to experience. It is the policy of the LAPD to send an officer to meet with a BSS Psychologist within 48 hours of a Categorical UOF incident. The officer will be removed from all field duties until cleared to return to duty by the BSS Psychologists. Prior to clearing the officer(s) for field duties, the psychologist will discuss the recommendations with the officer's immediate commanding officer.

As required by HIPPA laws, the BSS Psychologist will not discuss any medical conditions with the officer's commanding officer; the discussion will address only whether or not the officer(s) is ready to return to field duties. The Park Ranger Division will adopt and enter into a MOA with LAPD BSS for their service, once the arming of the rangers is approved (**Attachment 11**).

Note: The law enforcement agencies under MOA with the LAPD are also under a contract with LAPD BSS. Chief Psychologist Kevin Golblonski indicated that the services rendered to the Park Ranger Division will be at a charge of \$150.00 per hour on an as-needed basis, with no monthly service charge. This is a service that may never be needed, but is a valuable resource for the Park Ranger Division personnel in the event of a Categorical UOF. Funding would be provided by a Park Ranger Contractual Services account (RAPX2360 304).

- The Park Ranger Division will enter into a MOA with the LAPD Training Division. LAPD Training Division will provide in-service training to the park ranger to include a 40-hour

recertification course, LAPD shooting policy update, law update for armed police officers, tactical training on various shooting situations, tactics (before, during, and after a Categorical UOF, to include verbal communications between officers, suspects, and other law enforcement agencies), etc.

LAPD training Division will also include the computer tracking of four annual pistol qualifications a year for the rangers and the services of the range master. LAPD will also include a pistol armory for the repair(s) of service weapons if needed. LAPD will provide this service free of charge to the Park Ranger Division. The MOA will be memorialized once the approval has been granted to arm the rangers. Attached is a discussion by email from LAPD Lieutenant Quan for the services to be rendered by LAPD to the Rangers (**Attachment 12**).

FIREARM AND BUDGETING

The LAPD only authorizes the Smith and Wesson A/M 9mm weapon for LAPD/park ranger recruits, which is the primary weapon used for training at the police academy and during active patrol. The weapon comes with three additional magazines. The officers are required to carry a Safariland ZW048 PRH 2192 Mid-Ride Level II holster, the only holster authorized by the LAPD. In addition, officers shall have a Safariland Double Mag Pouch to carry additional magazines on their service belt.

Unit Cost

Weapon at the contracted price: \$342.78

Holster at the contracted price: \$102.85

Double Magazine Pouch: \$27.55

Total Unit Price: \$473.18

The Park Ranger Division currently has ten LAPD-authorized weapons, which were purchased for use by park ranger recruits during their academy training. The current staffing levels are 22 sworn park rangers. The projected staffing levels for the RAP Park Ranger Cross Roads Program are 50 rangers, which is anticipated to be achieved by March 2020.

It is recommended that the Park Ranger Division purchase an additional 40 firearms, holsters, and magazines upon approval to arm, at a total cost of \$18,927.20.

The Park Ranger Division would use its current budgeted accounts to purchase the weapons and related equipment (**Attachment 13**).

As the ranger program expands to its maximum employment capacity of 76 rangers, the Ranger Division will request additional funding in its 21/22 budget for the purchase of 26 additional weapons, holsters, and ammunition pouches. The funding of the additional equipment will be much less than the current cost.

Once the Park Ranger Division is completely armed, the annual cost to maintain all the equipment and ammunition expenses will be minimal, approximately \$2,000.00 annually.

INSPECTION AND AUDITS

It will be the policy of the Park Ranger Division to conduct a monthly uniform and weapon inspection on the last Wednesday of every month, to ensure that the issued weapons are clean, oiled, and kept in serviceable condition. An audit will be conducted during the inspection to ensure that ammunition carried by the rangers is the authorized ammunition allowed by the LAPD. No other ammunition other than that which is issued by the LAPD will be permitted to be used or carried. Any deviation from this policy will result in disciplinary action.

The Los Angeles RAP Park Ranger Division is one of the only Departments in the state that sends its rangers to a CAPOST Police Academy, with the exception of state and federal park rangers, who are armed. The LAPD Academy is recognized as one of the most prestigious training academies in the country and the world. During training at the academy, recruit officers are placed in various tactical situations and are trained to react accordingly to minimize danger to themselves, their partners and citizens. RAP Park Ranger Recruits receive the highest-quality training at the LAPD Academy. The tactical training the RAP Rangers Recruits receive from the LAPD ensures that they are well-qualified to be armed.

It is the intention of the Park Ranger Division management to ensure that all policies and procedures related to the arming of the rangers are strictly adhered to through continual in-service training. Providing continual training to the Park Ranger Division and in keeping updated with changes in state law will protect our rangers and RAP from civil liability concerns.

Arming the rangers, combined with the quality training they receive, would make the Los Angeles City Park Ranger Division a nation-wide leader in park-safety policing.

Any questions regarding the proposal can be directed to Chief Ranger Joe Losorelli, at (323) 364-1485.

APPROVED:

MICHAEL A. SHULL, General Manager

DATE _____

ANTHONY-PAUL (AP) DIAZ, Executive Officer & Chief of Staff

DATE _____

JL:am

Attachments